

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.1 OF 2004

IN

ARBITRATION PETITION NO.15 OF 2001

...

State Bank Nagar Co.operative

Housing Society Ltd. Pune ...Applicant

v/s.

M/s.Ashutosh Constructions

Pvt.Ltd. ...Respondent

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Mr.A.V.Anturkar i/b Mrs.Vinita V. Bakre-Shastri for
the Applicant.

Mr.J.Shekhar i/b J.Shekhar & Co. for the Respondent.

...

CORAM: D.K.DESHMUKH, J.

DATED: 5TH OCTOBER, 2005

P.C.:

Neither under the Arbitration Act, 1940 nor under the Arbitration & Conciliation Act, 1996 an award made by the arbitrator can be filed on the appellate side of this court. One does not comprehend how the learned arbitrator filed the award on the appellate side of the High Court and what is most confusing and amazing is that even the Registrar of this Court who is supposed to be the Judicial Officer without application of mind appears to have issued notice to the Applicant. Civil Application is, therefore, disposed of in following terms:

O R D E R

Office shall return the award to the learned arbitrator from whom the award is received informing him that under no law an award made under the Arbitration Act can be filed on the appellate side of the High Court. Civil Application disposed of.

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